

## BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

## STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Department of Transportation for the Alteration and Exemption of the Public Crossing of the Sault Ste. Marie Bridge Co. Tracks with CTH B (Sunset Drive) in the Village of Suamico, Brown County

9148-RX-107

NOTICE OF INVESTIGATION AND HEARING  
AND ASSESSMENT OF COSTS

By letter dated March 10, 2015, the Wisconsin Department of Transportation (DOT) petitioned the Office of the Commissioner of Railroads (OCR) pursuant to Wis. Stat. §§ 195.28, 195.285 and 195.29 for the alteration of a public crossing of the Sault Ste. Marie Bridge Co. (SSAM) tracks with CTH B (Sunset Drive) in the Village of Suamico, Brown County (Crossing no. 181 344L / MP 9.17). The DOT plans to reconstruct and widen CTH B (Sunset Drive) during the 2016 construction season. The crossing is located within the project limits. DOT #: 1150-54-50 and 51.

The DOT also petitioned pursuant to Wis. Stat. § 195.285 for the exemption of the crossing from the stopping requirement for vehicles specified in Wis. Stat. § 346.45. That section requires certain specified vehicles, such as motor buses transporting passengers, motor vehicles transporting chlorine, fuel trucks, and vehicles transporting hazardous materials, to stop at all highway/rail crossings unless posted with an exempt sign.

The issues for the hearing are:

1. Would alteration of the CTH B (Sunset Drive) crossing promote public safety and convenience?
2. What warning devices would be necessary to adequately protect and promote public safety?
3. Would exemption of the crossing promote the public interest, particularly in light of public safety?
4. How shall the costs of the crossing construction be apportioned?

The DOT shall have the burden of proof on all issues.

If this proceeding is contested, it is deemed to be a Class I proceeding as defined in Wis. Stat. § 227.01.

**PLEASE NOTE:** The Office will hold a public hearing at the **Suamico Municipal Services Center, 12781 Velp Avenue, Suamico, Wisconsin, on July 10, 2015, at 1:00 p.m.**

PLEASE NOTE: The Office finds that the expenses which are reasonably attributable to this investigation will be assessed against the Sault Ste. Marie Bridge Co. in accordance with Wis. Stat. § 195.60 and Wis. Admin. Code § RR 2.04.

Upon reasonable notice, the Office will accommodate the needs of disabled individuals. Contact the Office at (608) 266-9536, (608) 267-1479/TTY, or (Fax) (608) 261-8220, or by writing to the Office at 610 N. Whitney Way, Room

110, PO Box 7854, Madison, Wisconsin 53707-7854.

The OCR now publishes all notices, orders, proposed decisions and final decisions on the Internet. These documents may be accessed at either <http://ocr.wi.gov/apps40/dockets/default.aspx> or on the Public Service Commission's website at <http://psc.wi.gov/>

Please contact the OCR staff with any questions, at (608) 266-0276.

Dated at Madison, Wisconsin, June 18, 2015.

By the Office of the Commissioner of Railroads.



Douglas S. Wood, Hearing Examiner

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